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15 *Attorneys for Defendants*

16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 **NATIONAL ASSOCIATION FOR GUN**
 20 **RIGHTS, INC.**, a non-profit corporation, and
 21 **MARK SIKES**, an individual,

22 Plaintiffs,

23 v.

24 **CITY OF SAN JOSE**, a public entity,
 25 **JENNIFER MAGUIRE**, in her official
 26 capacity as City Manager of the City of San
 27 Jose, and the **CITY OF SAN JOSE CITY**
 28 **COUNCIL**,

Defendants.

Case No. 5:22-cv-00501-BLF

DECLARATION OF TAMARAH
PREVOST IN SUPPORT OF
OPPOSITION TO PLAINTIFFS’
MOTION FOR PRELIMINARY
INJUNCTION

Date: July 21, 2022
 Time: 9:00 AM
 Courtroom: 3 – 5th Floor
 Judge: Hon. Beth Labson Freeman

Complaint Filed: January 25, 2022

1 I, Tamarah P. Prevost, hereby declare as follows:

2 1. I am an attorney duly admitted to practice before all courts of the State of California
3 and before the U.S. District Court for the Northern District of California, and am a partner with the
4 law firm of Cotchett, Pitre & McCarthy, LLP, counsel for Defendants City of San Jose, Jennifer
5 Maguire, and City of San Jose City Council (collectively, “Defendants”) in this matter.

6 2. I make this Declaration in support of Defendants’ Opposition to Plaintiffs’ Motion
7 for Preliminary Injunction.

8 3. I have personal knowledge of each of the facts stated herein, and if called as a witness,
9 I could and would testify competently to all facts herein.

10 4. Attached hereto as **Exhibit 1** is a true and correct copy of a June 29, 2021 San Jose
11 City Council Memorandum.

12 5. Attached hereto as **Exhibit 2** is a true and correct copy of a January 25, 2022 San
13 Jose City Council Agenda.

14 6. Attached hereto as **Exhibit 3** is a true and correct copy of a report prepared by the
15 Pacific Institute for Research and Evaluation, entitled “Incidence and Cost of Firearm Injuries in San
16 Jose, CA” dated January 19, 2022.

17 7. Attached hereto as **Exhibit 4** is a true and correct copy of the June 4, 2020 New
18 England Journal of Medicine article, “Handgun Ownership and Suicide in California.”

19 8. Attached hereto as **Exhibit 5** is a true and correct copy of the Educational Fund to
20 Stop Gun Violence article, “Unintentional Shootings.”

21 9. Attached hereto as **Exhibit 6** is a true and correct copy of the article, “Sandy Hook
22 Families Settle Lawsuits Against Lanza Estate for \$1.5M” featured in the Hartford Courant.

23 10. Attached hereto as **Exhibit 7** is a true and correct copy of the December 15, 2020
24 article, “Man Who Shot Intruder in His Home Sued for Wrongful Death” by Gilman & Bedigian,
25 LLC.

26 11. Attached hereto as **Exhibit 8** is a true and correct copy of a “Supplemental
27 Memorandum,” dated January 21, 2022, from San Jose City Attorney Nora Frimann to the City
28 Counsel, which contains hyperlinks to fourteen documents. Exhibits 4-10 to this Declaration

1 (attached herein) are a sampling of the documents listed in this Supplemental Memorandum, and for
2 the Court's convenience, the remaining documents listed in the Supplemental Memorandum are
3 attached as a compendium hereto. The Supplemental Memorandum states: "The attached list
4 provides the citations for the various research and data sources used in the recitals of the proposed
5 ordinance that is being considered at the City Council's January 25, 2022 meeting. It may be useful
6 in Council's deliberations on the matter."

7 12. Attached hereto as **Exhibit 9** is a true and correct copy of January 21, 2022 San Jose
8 City Council Memorandum.

9 I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd
10 day of March 2022 at Burlingame, California.

11 /s/ Tamarah P. Prevost
12 TAMARAH P. PREVOST